

FILED

JUL 27 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ZHONGHE QUAN,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-71050

Agency No. A95-304-022

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 24, 2006^{**}

Before: ALARCÓN, HAWKINS, and THOMAS, Circuit Judges

Zhonghe Quan, a native and citizen of the People's Republic of China, petitions for review of the Board of Immigration Appeals' decision, issued on February 26, 2004, summarily affirming an immigration judge's denial of his

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

asylum application. We lack jurisdiction to review the Board's decision because Quan's petition for review, filed on February 28, 2005, was untimely under 8 U.S.C. § 1252(b)(1). Quan does not raise any issue regarding the Board's decision, issued on February 9, 2005, denying his motion to reissue its earlier decision. We dismiss the petition for review for lack of jurisdiction.

PETITION FOR REVIEW DISMISSED.